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5  
6 Counsel for Defendant ESPINOZA

7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,	)	No. CR-08-926 JSW
	)	
12 Plaintiff,	)	STIPULATION AND <del>PROPOSED</del>
	)	ORDER TO CONTINUE SENTENCING
13 v.	)	
	)	
14 MIGUEL ESPINOZA	)	<b>CURRENT HEARING DATE:</b> April 16,
	)	2009, at 2:30 p.m.
	)	
15 Defendant.	)	<b>PROPOSED HEARING DATE:</b> May 7,
	)	2009, at 2:30 p.m.
16	)	

17  
18 1. On February 26, 2009, Mr. Espinoza pled guilty before this court to a single  
19 charge of illegal reentry. At Mr. Espinoza's request, the Court ordered the probation office to  
20 prepare a criminal history only presentence report. Sentencing was set for April 16, 2009.

21 2. After Mr. Espinoza pled guilty, his attorney, Steve Kalar, went on extended leave,  
22 and undersigned counsel took over his case.

23 3. On April 8, 2009, one week before sentencing, the probation office provided a  
24 modified presentence report to the parties. The presentence report contemplates issues that  
25 undersigned counsel has not fully explored with Mr. Espinoza.

26 4. AUSA Jeane Hamilton is on leave this week and will not return to the office until

Monday, April 13.

5. In order to ensure that undersigned counsel has an opportunity to review the presentence report with her client and the government and to allow both parties adequate time to consider the presentence report and file sentencing memoranda with the Court, the parties respectfully request that the Court continue Mr. Espinoza's sentencing date to May 7, 2009, at 2:30 p.m.

IT IS SO STIPULATED.

4/9/09

/s/

DATED

DARRYL EREMIN (For Jeane Hamilton)  
Assistant United States Attorney

4/9/09

/s/

DATED

RITA BOSWORTH  
Assistant Federal Public Defender

IT IS SO ORDERED.

The Court has conferred with the Probation Officer who also is available on May 7, 2009. The parties are reminded to confer with the Probation Officer in the future to ensure her availability.

April 10, 2009  
DATED

  
JEFFREY S. WHITE  
United States District Judge